



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yehia El-Ibiary

Serial No.: 10/675,723

Filed: September 30, 2003

For: SYSTEM AND METHOD FOR
IDENTIFYING OPERATIONAL
PARAMETERS OF A MOTOR

§ Group Art Unit: 2837

§

§ Examiner: Ip, Shik Luen Paul

§

§ Atty. Docket: REEL:0044/YOD/EUB
03RE019

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

August 11, 2006

Date


Stephanie Shamgar

Dear Sir:

PETITION UNDER 37 C.F.R. § 1.181(a)
TO WITHDRAW HOLDING OF ABANDONMENT

This Petition is being filed in response to the Notice of Abandonment mailed on June 14, 2006, a copy of which is enclosed herewith as Exhibit 1. The Notice states that the above-referenced application has been abandoned for failure to timely pay the required issue and publication fees within the statutory period of three months from the mailing of the Notice of Allowance on December 20, 2005. A copy of this Notice of Allowance is enclosed herewith as Exhibit 2. Applicant respectfully, but vigorously, traverses this holding of abandonment, as this holding directly resulted from a clerical error in the Deposit Account Division of the United States Patent and Trademark Office. In view of the following remarks, Applicant respectfully requests withdrawal of the holding of abandonment and that the present application be allowed to proceed to issue.

BEST AVAILABLE COPY

Moreover, as discussed in greater detail below, the Patent Office received and deposited a check to replenish the Assignee's deposit account, but failed to timely credit the proper deposit account. In fact, the funds were not credited to the Assignee's deposit account until the error was noticed by the Assignee and pointed out to the Deposit Account Division approximately eight days after the check had *cleared* the Assignee's financial institution. Upon notification of their error, the Deposit Account Division promptly corrected the error and credited the proper deposit account. This delay by the Office in crediting the appropriate deposit account, however, resulted in the present holding of abandonment in the above-identified application. Accordingly, Applicant respectfully requests withdrawal of the Notice of Abandonment and issuance of the above-referenced patent application.

Particularly, on February 15, 2006, the Assignee of the present application prepared and mailed a check in the amount of \$37,780.00 to the Patent Office in accordance with their standard operating procedures to replenish their deposit account. Redacted copies of screenshots generated by the Assignee's accounting software are enclosed herewith as Exhibit 3, which indicate the information printed on the check and stub mailed to the Patent Office on February 15, 2006. This information evidences the date and amount of the replenishment payment, and the deposit account to which the payment was to be credited, as emphasized in Exhibit 3. This check was accepted and deposited by the Patent Office, and cleared the Assignee's financial institution on February 21, 2006.

On February 22, 2006, Applicant filed a Part B – Fee(s) Transmittal of Form PTOL-85 (“Fee Transmittal”) authorizing the issue and publication fees to be charged to the Assignee’s deposit account, i.e., Deposit Account No. 01-0857. A copy of this Fee Transmittal is enclosed herewith as Exhibit 4. The Fee Transmittal was received by the Patent Office on February 27, 2006. *See* Exhibit 4. Unfortunately, when the Fee Transmittal was processed on February 28, 2006, the Assignee’s deposit account had not been updated to reflect the aforementioned replenishment payment (which had already cleared the Assignee’s financial institution as of

February 21, 2006). Copies of the internal deposit account inquiry and Notice of Fee Due by the Patent Office are enclosed herewith as Exhibit 5. As indicated in Exhibit 5, the deposit account inquiry by the Office on February 28, 2006, indicated the balance of the Assignee's deposit account to be only \$112.00. Applicant respectfully notes that this balance (on February 28, 2006) failed to reflect the payment of \$37,780, as discussed above, that had cleared the Assignee's financial institution on February 21, 2006. In other words, while the balance should have been \$37,892.00 as of February 28, 2006, a clerical error in the Deposit Account Division resulted in an erroneous balance of only \$112.00 that, in turn, resulted in the present holding of abandonment for appearing to have insufficient funds in the deposit account to pay the issue and publication fees for the above-identified patent application.

Applicant would like to note that the Deposit Account Division promptly acknowledged and rectified their accounting error upon notification of the error by the Assignee on March 1, 2006. The present holding of abandonment, however, is a direct result of this accounting error. Further, neither the Examiner nor the Deposit Account Division believes that they have the requisite authority to withdraw the holding of abandonment resulting from the Office's error. Consequently, Applicant is filing the present Petition in order to advance the above-identified application to issuance. Additionally, while Applicant has provided facts and evidence believed relevant to resolve this issue, and would be happy to provide any additional facts or evidence that would be helpful and are in Applicant's or the Assignee's possession, it is respectfully submitted that the Patent Office itself, and the Deposit Account Division in particular, may have additional relevant evidence that is unavailable to Applicant or the Assignee and could be discovered through a simple accounting inquiry by the Patent Office.

In view of the facts outlined above, Applicant respectfully submits that authorization for payment of the issue and publication fees was provided on February 22, 2006, which is well within the three-month statutory period following the mailing of the Notice of Allowance on December 20, 2005. Further, Applicant respectfully submits that, for the

clerical error committed by the Deposit Account Division, these fees would have been paid according to that authorization. Accordingly, Applicant respectfully requests withdrawal of the improper holding of abandonment with respect to the present application. If an Office representative believes that a telephonic interview will be of assistance, the representative is invited to contact the undersigned at the telephone number listed below.

It is not believed that any fees are required for filing this Petition due to the mistake being on the part of the Patent Office. However, the Commissioner is authorized to charge any requisite fees to Deposit Account No. 01-0857; Order No. 03RE019/YOD (REEL:0044). Further, the Commissioner was also previously authorized, and remains authorized, to charge the issue and publication fees for this patent application to the same deposit account and order number.

Respectfully submitted,

Date: August 11, 2006



L. Lee Eubanks IV
Reg. No. 58,785
FLETCHER YODER
P.O. Box 692289
Houston, TX 77269-2289
(281) 970-4545

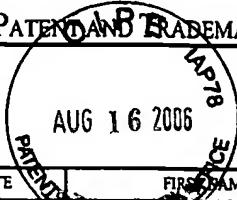
CORRESPONDENCE ADDRESS

ALLEN-BRADLEY COMPANY, LLC
Patent Department/704P Floor 8 T-29
1201 South Second Street
Milwaukee, Wisconsin 53204
Attention: Mr. Alexander Gerasimow
Phone: (414) 382-2000

Exhibit 1



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,723	09/30/2003	Yehia El-Ibiary	03RE019	6359

7590 06/14/2006

Alexander M. Gerasimow
Allen-Bradley Company, LLC
1201 South Second Street
Milwaukee, WI 53204-2496

EXAMINER

IP, SHIK LUEN PAUL

ART UNIT	PAPER NUMBER
	2837

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Exhibit 1 (cont.)

Notice of Abandonment	Application No.	Applicant(s)	
	10/675,723	EL-IBIARY	
	Examiner	Art Unit	

IP	2837	
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- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
 (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 (d) No reply has been received.

2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 (b) The submitted fee of \$0 is insufficient. A balance of \$1700 is due.
 The issue fee required by 37 CFR 1.18 is \$1400. The publication fee, if required by 37 CFR 1.18(d), is \$300.
 (c) The issue fee and publication fee, if applicable, has not been received.

3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 (b) No corrected drawings have been received.

4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. The reason(s) below:

Igd

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Exhibit 2

REEL:0044 YOD/EWP

UNITED STATES PATENT AND TRADEMARK OFFICE

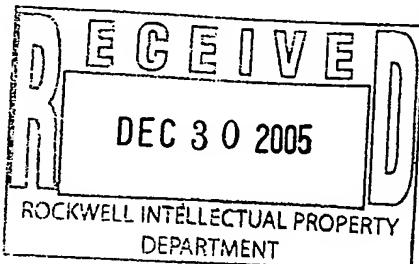
UNITED STATES DEPARTMENT OF COMMERCE
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 Alexandria, Virginia 22313-1450
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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

12/20/2005

Alexander M. Gerasimow
 Allen-Bradley Company, LLC
 1201 South Second Street
 Milwaukee, WI 53204-2496



EXAMINER

IP, SHIK LUEN PAUL

ART UNIT

PAPER NUMBER

2837

DATE MAILED: 12/20/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,723	09/30/2003	Yehia El-Ibary	03RE019	6359

TITLE OF INVENTION: SYSTEM AND METHOD FOR IDENTIFYING OPERATIONAL PARAMETERS OF A MOTOR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	03/20/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

Pub fee due
D O C K E T E D
FOR 3/20/2006 RESPONSE DUE 3-20-06
BY u/11
CHEC'D BY EH/111

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

PSY REEL:0044
REMTR- AMG

Notice of Allowability	Application No.	Applicant(s)	
	10/675,723	EL-IBIARY, YEHIA	
	Examiner Paul Ip	Art Unit 2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the amendment filed on 12/14/2005.
2. The allowed claim(s) is/are 1-44 and 46-67.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.


 Paul Ip
 Primary Examiner
 TC 2800 AU 2837

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

Applicants' amendment filed on 12/14/2005 has been carefully considered in view of the specification and the drawings of the invention with respect to the references of the record. Claims 1-44 and 47-67 are patentable distinct to recite a first module to receive electrical input data obtained at first and second load points of an electric motor, and a second module is operable to calculate a first estimate value of a first estimated variable of the electric motor based on the electrical input data obtained at the first and second load points of the electric motor, and to calculate a second estimated value of a second estimated variable of the motor based on the first estimated variable during operation of the motor without disconnecting the motor from a load. The references of the record either taken alone or in combination fail to teach or suggest the invention as recited in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

COMMUNICATION INFORMATION

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Ip whose telephone number is (571)-272-1941. The examiner can normally be reached on Monday to Friday from 6:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on 571-272-2107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paul Ip
Primary Examiner
Art Unit 2837

12/15/2005

Exhibit 3

Payment Inquiry - Microsoft Internet Explorer 6.0

File Edit View Favorites Tools Help

Back Search Favorites History Go Links

Address https://psfinpweb.mke.ra.rockwell.com/psp/ps_1/EMPLOYEE/ERP/c/CREATE_PAYMENTS.PYMNT_INI Go

Adobe Search Web Mail My Yahoo! Games

PeopleSoft.

Bank Name: WELLS FARGO - AP Disbursement

Bank Account #: [REDACTED]

Pay Cycle: FRI Seq Num: 167

Vendor Name: DIRECTOR OF THE US PATENT

Address: PO BOX 70541

CHICAGO IL 60673 USA Value Date: 02/15/2006

Payment Amount: 37,780.00 USD Payment Method: CHK

Description: [REDACTED]

Local intranet

Start N M S R C S M D M E M P

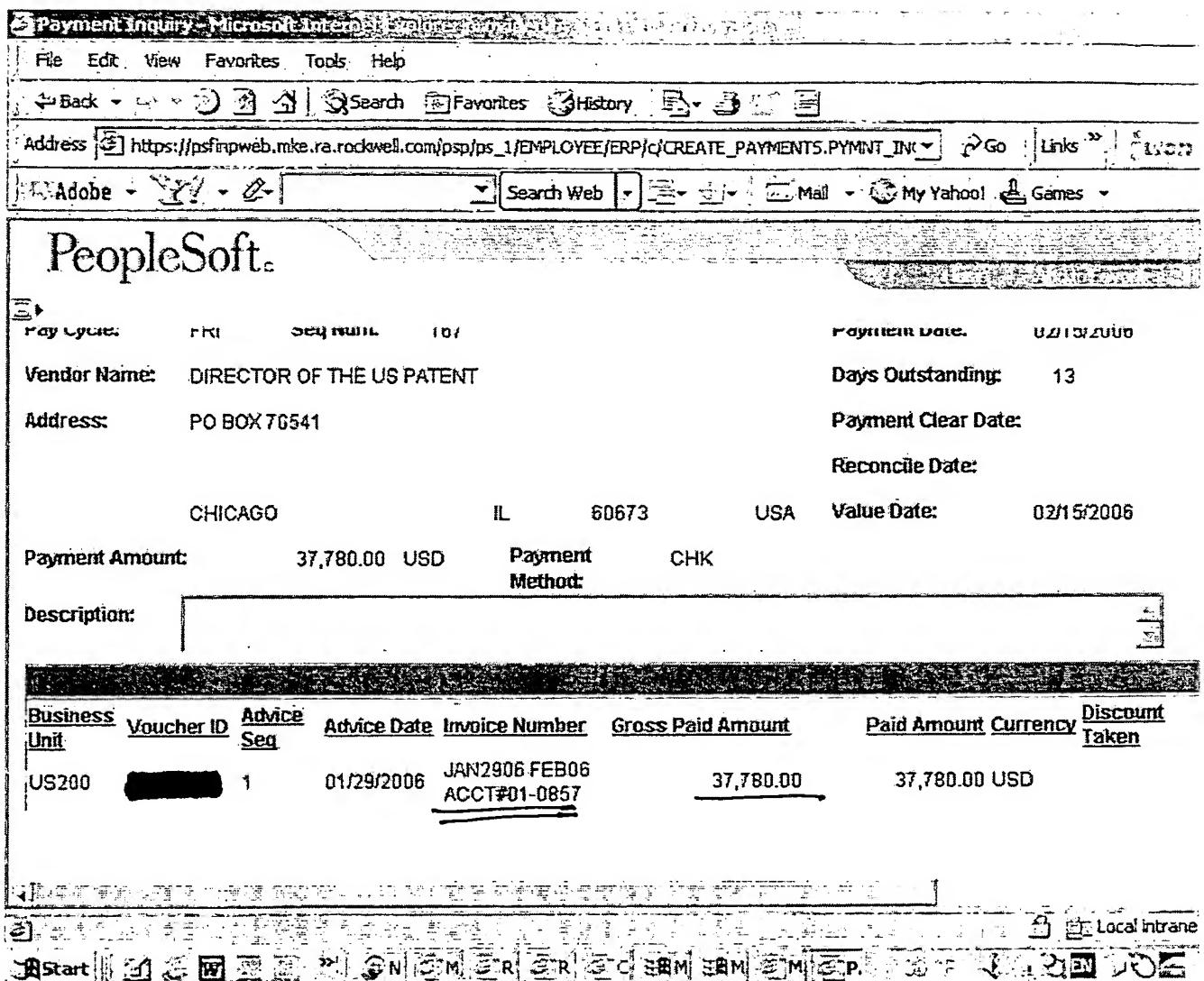


Exhibit 4

Complete and send this form, together with applicable fee(s), to: Mail

FEB 27 2006

or Fax

Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. Further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

12/20/2005

Alexander M. Gerasimow
 Allen-Bradley Company, LLC
 1201 South Second Street
 Milwaukee, WI 53204-2496

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Susan M. Donahue	(Depositor's name)
<i>Susan M. Donahue</i>	(Signature)
February 22, 2006	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,723	09/30/2003	Yehia El-Ibary	03RE019	6359

TITLE OF INVENTION: SYSTEM AND METHOD FOR IDENTIFYING OPERATIONAL PARAMETERS OF A MOTOR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	03/20/2006
EXAMINER	ART UNIT		CLASS-SUBCLASS		
IP, SHIK LUEN PAUL	2837		318-561000		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Patrick S. Yoder2 Alexander M. Gerasimow

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

RELIANCE ELECTRIC TECHNOLOGIES, LLC MAYFIELD HEIGHTS, OHIO U.S.A.

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are enclosed:

- Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies _____

4b. Payment of Fee(s):

- A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 01-0857 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
 b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Alexander M. GerasimowDate February 22, 2006Typed or printed name Alexander M. GerasimowRegistration No. 28,610

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Exhibit 5

Deposit Account Window Help

Deposit Account

Number: 010857 Balance Amount: 112.00

Holder:

Name: ALLEN-BRADLEY COMPANY

Address:

Attention: ALEX M. GERASIMOW
Street: 1201 SOUTH SECOND STREET

Province:

City: MILWAUKEE

State: WI Postal Codes: 53204

Country: US

Telephone: 414-212-5311 Fax: 414-212-5308

Details:

Category Code: NONGOVNMNT Type: REGULAR

Notification Amt: 0.00 Status: Active Closed

Access Code: EAREGAY2 Date: 02/28/2006

BEST AVAILABLE COPY

DATE: 02-28-06
TO: Issue fee
FROM: Office of Initial Patent Examination
SUBJECT: Fee Due \$ 1,700

APPLICATION NUMBER 10/675,723

A fee is due for the attached document submitted to the U.S. Patent and Trademark Office for the following reason. Please check the application for the appropriate authorizations to charge a deposit account if an authorizations is present, please charge the Appropriate Fee. If and authorization is not present, notify the applicant of the fee deficiency.

- Insufficient fee by check
- Insufficient funds in deposit amount
- Insufficient by Credit Card
- Declined credit card
- Non-authorization for charge to deposit account
- No fee submitted per requirement

The correct fee code:	<u>1501, 1504</u>	Amount	<u>\$ 1400 + 300 = 1,700</u>
The suspended fee code:	<u>1999</u>	Amount	<u>\$ _____</u>
The suspended	<u>1622</u>	Amount	<u>\$ _____</u>
The suspended	<u>2622</u>	Amount	<u>\$ _____</u>
Fee Due		Amount	<u>\$ 1,700</u>

Terminal Operator E-A

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BLURRED OR ILLEGIBLE TEXT OR DRAWING

SKEWED/SLANTED IMAGES

COLOR OR BLACK AND WHITE PHOTOGRAPHS

GRAY SCALE DOCUMENTS

LINES OR MARKS ON ORIGINAL DOCUMENT

REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY

OTHER: _____

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